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THE SENATE OF MARYLAND
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Support SB 64
HIV Prevention Drugs -
Dispensing and Prescribing by Pharmacists and Insurance Requirements
Senator Clarence Lam

The Issue

- At the end of 2020, there were 31,676 people living with diagnosed HIV in Maryland.
- Maryland has high rates of new HIV infections: Maryland was ranked 12th among states and territories in HIV diagnosis rate.
- In 2020, 27,300 Marylanders were at high risk for acquiring HIV but only 4,867 were prescribed prophylaxis medication—only 18%. Accessing these medications can be difficult for people without a primary care physician or people living in rural areas.
- There are large racial disparities in HIV: Black Marylanders have a HIV diagnosis rate up to **ten times higher** than White Marylanders and 74% of individuals living with HIV in Maryland were Black at the end of 2020. National studies show lower rates of PrEP access among Black and Latinx people.

Why SB0064 is Needed

- Medications called pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP) are effective at preventing the transmission of HIV; the CDC estimates that, when taken as directed, **PrEP can reduce the risk of sexual transmission by 99%**.
- In September 2022, a court in Texas ruled to allow an employer to not cover PrEP based on religious beliefs. If the Supreme Court upholds this ruling, this Affordable Care Act requirement would be nullified, and many Marylanders would not be able to afford PrEP.
- In December 2022, HIV/AIDS organizations filed discrimination complaints because insurance carriers were placing PrEP on the highest drug tiers, making the co-pays significantly more expensive than comparable drugs.

What SB0064 Does

- Allows Maryland pharmacists to prescribe and dispense PEP
- Removes insurance-related barriers to care by...
 - Removing prior authorization for PrEP
 - Removing cost-sharing for PEP and PrEP
 - Removing step therapy for PEP and PrEP
 - Removing cost-sharing for the ancillary testing, e.g., kidney function testing, required to be on PEP and PrEP

Current PrEP/PEP Pharmacy Access Laws

- California and Colorado have passed laws to allow PrEP and PEP to be dispensed by pharmacists without a prescription.
- Virginia passed a House bill last week creating a pathway to PrEP pharmacy access.
- New York allows PEP to be dispensed by pharmacists.
- Other states, including Oregon, Florida, Missouri, and Minnesota, are considering similar legislation this session
- Colorado is considering legislation to require insurers to cover ancillary services this session.
- Pilot studies of pharmacy-based PrEP/PEP clinics have shown this model is safe, effective, and financially-sustainable.